

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MCC NON FERROUS TRADING INC.,

Plaintiff,

vs.

14 Civ. 8302 (JCF)

AGCS MARINE INSURANCE COMPANY,

Defendant.

**DEFENDANT'S NOTICE OF CROSS-MOTION
FOR PARTIAL SUMMARY JUDGMENT
ON THE INTERPRETATION OF CLAUSES 52 AND 53**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in support of this motion, the accompanying Local Civil Rule 56.1 Statement of Undisputed Facts and the pleadings herein, Defendant AGCS Marine Insurance Company will move this Court, before James C. Francis, United States Magistrate Judge, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting partial summary judgment on the interpretation of Clauses 52 and 53 of the subject policy of insurance and granting such other and further relief as the Court deems appropriate.

Dated: New York, New York
March 11, 2015

NICOLETTI HORNIG & SWEENEY
Attorneys for Defendant

By: /s/ John A.V. Nicoletti
John A.V. Nicoletti
Nooshin Namazi
Kevin J.B. O'Malley
Wall Street Plaza
88 Pine Street, Seventh Floor
New York, New York 10005
(212) 220-3830
jnicoletti@nicolettihornig.com